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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,813	12/07/2001	Naohiko Noguchi	P21778	7756

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EXAMINER

GODDARD, BRIAN D

ART UNIT PAPER NUMBER

2161

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/004,813

Applicant(s)

NOGUCHI ET AL.

Examiner

Brian Goddard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 11, 13, 15, 16, 18 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18 and 22 is/are allowed.
- 6) ☒ Claim(s) 1-7, 13, 15, 16 and 23 is/are rejected.
- 7) ☒ Claim(s) 11, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to the Amendment filed 03 May 2005.
2. Claims 1-7, 11, 13, 15, 16, 18 and 20-23 are pending in this application. Claims 1, 13, 15, 22 and 23 are independent claims. In the Amendment filed 03 May 2005, claims 4, 11, 13, 15 and 20-22 were amended. This action is made Final.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 2, 7, 13, 15 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,765,165 to Harper.

Referring to claim 1, Harper discloses a file management method as claimed. See Figure 1 and the corresponding portion of Harper's specification for this disclosure. Harper teaches "a file management method [See Abstract, Background, Summary & Fig. 1] comprising:

recording on a recording medium ['disk'] and managing a distributed object [file] and a metadata file [inode], the metadata file being an individual file [definition of inode] comprising information related to the object and used to retrieve, categorize, and organize the object,

wherein correspondence between an identifier of the metadata file [inode number (105)] and an identifier of the object [file name (100)] corresponding to the metadata file

is managed [See Fig. 1] by a metadata correspondence management file [directory file]" as claimed.

Referring to claim 2, Harper teaches the method of claim 1, as above, further comprising managing the object and metadata file on the recording medium by a directory structure [UNIX file system directory structure], wherein a record type [entry] indicating a placement location [definition of pointer] of the metadata correspondence management file within the directory structure is provided in the metadata correspondence management file [See Fig. 1] as claimed.

Referring to claim 7, Harper teaches the method of claim 1, as above, wherein the metadata correspondence management file indicates a one-to-one relationship [See Fig. 1] between one object identifier [100] and one metadata file identifier [105] as claimed.

Claims 13, 15 and 23 are rejected on the same basis as claim 1. See the discussion regarding claim 1 above for the details of this disclosure.

Claim Rejections - 35 USC § 103

4. Claims 3-6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harper in view of U.S. Patent No. 6,611,862 to Reisman.

Referring to claim 3, Harper teaches the method of claim 2, as above, further comprising creating and managing a directory [See Fig. 1] by which the object [file] is distributed, wherein said record type indicates that the metadata correspondence management file is placed under the directory [by virtue of the file system hierarchy

(directories and subdirectories)]. Harper does not explicitly teach that the directory is a service directory for each service by which the object is distributed.

Reisman discloses an object distribution system and method with file system characteristics similar to those of Harper. See Column 35, line 62 – Column 47, line 25 of Reisman's specification for the details of this disclosure. Specifically, Reisman teaches creating and managing a service directory for each service by which and object is distributed as claimed.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Harper's file system management methods on the user terminal of Reisman's system to which the content objects are distributed, to obtain the invention as claimed. One would have been motivated to do so because Harper's file system provides effective and efficient metadata management techniques to supplement Reisman's distribution system, which is explicitly applicable to any operating and file system, including that of Harper.

Referring to claim 4, the combined system and method of Harper v. Reisman as applied to claim 3 above discloses the invention as claimed. Specifically, Harper v. Reisman teaches the method of claim 3, as above, further comprising recording on the recording medium a package directory [See Reisman Column 35, line 62 – Column 47, line 25] for each package file with at least one content, wherein the record type indicates...[See claim 3 above] as claimed.

Referring to claims 5 & 6, the combined system and method of Harper v. Reisman as applied to claim 4 above discloses the invention as claimed. Harper v.

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Reisman teaches the method of claim 4, as above, wherein the record type indicates a distinction...[by virtue of the directory hierarchy, wherein each directory file represents the metadata correspondence management file for the items within that directory] as claimed.

Claim 16 is rejected on the same basis as claim 4, in light of the basis for claim 15 above. See the discussions regarding claims 1-4 and 15 for the details of this disclosure.

Allowable Subject Matter

5. Claims 18 and 22 are allowed.
6. Claims 11, 20 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter:

Neither Harper, Reisman, nor any of the prior art of record, taken alone or in combination, provides sufficient disclosure to teach or suggest the claimed "package (or service) management file" for managing a correspondence between the package directory number and a package identifier assigned to the package, in combination with the claimed "content (or metadata) file group management file" for managing a correspondence between the content number and a reference name when the content is linked from other content, as recited in each of these claims.

Response to Arguments

8. Applicants' arguments filed 03 May 2005 have been fully considered but they are not persuasive.

Referring to applicants' remarks on pages 12-13 regarding the Section 102 rejections over Harper: Applicants argued that Harper's inode does not include information for the file name and the actual data contained in the file; that the metadata of the present invention contains content related to bibliographic matter, management information, and attribute information; and that Harper does not disclose or suggest Applicants' record file and relation to the directory file.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., that the metadata contains content related to bibliographic matter, management information and attribute information; a record file; etc.) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In addition, the examiner notes that the portions of the instant specification to which applicants refer merely provide EXAMPLES of metadata. Such examples do not constitute a precise definition that is limiting for the claim term "metadata." Thus, Harper discloses the file management method **as claimed**.

Referring further to applicants' remarks on page 13 regarding the Section 102 rejections over Harper: Applicants argued that Harper's entry refers to rows in a table while the record type of the present invention refers to the columns in a table.

The examiner disagrees for the following reasons: First, applicants have failed to point out any particular portion of the specification showing that record type refers to columns in a table. It is unclear what is meant here. Second, Harper's "entry" indicates "placement location of the metadata correspondence management file within the directory structure", as recited in the claim (claim 2), by use of a pointer, as shown above. Therefore, Harper discloses the file management method **as claimed**.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goddard whose telephone number is 571-272-4020. The examiner can normally be reached on M-F, 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bdg
20 July 2005


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER